

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VINCENT VICINANZA and LUIS
MORALES,

Plaintiffs,

-against-

HORIZON WINDOW TREATMENTS, INC.
and ERIC ABIKZER,

Defendants.

USDC SDNY
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DATE FILED: 2/24/2023

1:22-cv-657-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:


The Court has been informed that the parties have reached a settlement of this matter. The claims in this case include claims arising under the Fair Labor Standards Act. In light of the requirements of *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), the parties are directed to file on or before **March 24, 2023** a joint letter with sufficient information to enable this Court to evaluate whether the settlement is fair and reasonable.

The letter should address the claims and defenses, the defendants' potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of the plaintiffs' case and the defendants' defenses, any other factors that justify the discrepancy between the potential value of plaintiffs' claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint letter should also explain the attorney fee arrangement, attach a copy of the retainer agreement, and provide information detailing the actual attorney's fees incurred. Finally, a copy of the settlement agreement itself must accompany the joint letter or motion.

SO ORDERED.

Date: February 24, 2023
New York, NY



MARY KAY VYSKOCIL
United States District Judge